



State of Wisconsin  
2009 – 2010 LEGISLATURE

LRBa0681/1  
EVM:nwn:ph

**ASSEMBLY AMENDMENT 3,  
TO 2009 SENATE BILL 185**

September 16, 2009 – Offered by Representative Davis.

\*\*\* AUTHORS SUBJECT TO CHANGE \*\*\*

1           At the locations indicated, amend the bill, as shown by senate substitute  
2           amendment 2, as follows:

3           **1.** Page 4, line 6: after that line insert:

4           “**SECTION 1e.** 19.48 (12) of the statutes is created to read:

5           19.48 (12) Prescribe, by rule, a code of ethics that contains standards of conduct  
6           applicable to any person who seeks approval under s. 66.0401 and who attempts to  
7           influence official action by any elective official of a political subdivision, as defined  
8           in s. 66.0401 (1e) (c), concerning the decision of the political subdivision to approve  
9           a wind energy system, as defined in s. 66.0401 (1e) (d).

10          **SECTION 1m.** 19.579 (1) of the statutes is amended to read:

11          19.579 (1) Except as provided in sub. (2), any person who violates this  
12          subchapter may be required to forfeit not more than \$500 for each violation of s.  
13          19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other

1 provision of this subchapter. Any person who violates a rule promulgated under s.  
2 19.48 (12) may be required to forfeit not more than \$5,000 for each violation. If the  
3 court determines that the accused has realized economic gain as a result of the  
4 violation, the court may, in addition, order the accused to forfeit the amount gained  
5 as a result of the violation. In addition, if the court determines that a state public  
6 official has violated s. 19.45 (13), the court may order the official to forfeit an amount  
7 equal to the amount or value of any political contribution, service, or other thing of  
8 value that was wrongfully obtained. If the court determines that a state public  
9 official has violated s. 19.45 (13) and no political contribution, service or other thing  
10 of value was obtained, the court may order the official to forfeit an amount equal to  
11 the maximum contribution authorized under s. 11.26 (1) for the office held or sought  
12 by the official, whichever amount is greater. The attorney general, when so  
13 requested by the board, shall institute proceedings to recover any forfeiture incurred  
14 under this section which is not paid by the person against whom it is assessed.

15 **SECTION 1s.** 19.58 (1) (a) of the statutes is amended to read:

16 19.58 (1) (a) Any person who intentionally violates any provision of this  
17 subchapter except s. 19.45 (13) or 19.59 (1) (br), or a code of ethics adopted or  
18 established under s. 19.45 (11) (a) or (b) or 19.48 (12), shall be fined not less than \$100  
19 nor more than \$5,000 or imprisoned not more than one year in the county jail or  
20 both.”.

21 (END)